

In The United States District Court
For The Western District of Virginia
Charlottesville Division
Sines, et al, Plaintiffs vs
Kessler, et al, Defendants
Civil Action 3:17-CV-00072

CLERKS OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED

02/10/2022

JULIA C. DUDLEY, CLERK
BY: H. White
DEPUTY CLERK

Sworn Declaration of Christopher
Cantwell Dated 2-9-2022

I, Christopher Cantwell, do aver
under penalty of perjury on this 9th
day of February 2022, that the
following is true and correct,

- 1.) USP Marion remained in lockdown
throughout 2-7-2022, and my cell
door remained locked the entire day.
- 2.) On 2-7-2022 an inmate who was
allowed out to distribute food told
me he saw Mr. Simpkins on the unit,
so I asked that inmate to tell Mr.
Simpkins I was looking for him.
- 3.) There was no mail call on 2-7-2022,
and I never saw Hill, Simpkins, or
Wallace.
- 4.) USP Marion remained on lockdown into
2-8-2022. Around 12pm, Mr. Simpkins
let a nearby inmate out of his cell for
a legal call. I shouted to Mr. Simpkins
"Simpkins! I have legal papers that have
to go out!" Mr. Simpkins said he would
be back later.

- 5.) Mr. Simpkins did not come back later on 2-8-2022. There was no mail call. My cell door stayed locked all day and night, and I never saw Hill or Wallace.
- 6.) The B.O.P. lockdown continued into 2-9-2022, but we were allowed out of our cells to access computers for one hour in the morning. During that time I was able to determine that my postal contact for Roberta Kaplan had been approved, but the office phone number remained administratively blocked.
- 7.) Later in the day on 2-9-2022 we were all allowed out of our cells and told the lockdown was over.

~~Respectfully Submitted,~~
~~Cheryl Kaplan Cantu~~
~~2-9-2022~~

~~[Signature]~~

- 8.) At mail call, Ms. Hill gave me responses from the regional director regarding the appeal of my dispute over the withholding of my legal mail. It stated "Your ~~for~~ appeal is untimely. Regional appeals (BP-10) must be received within 20 days of the Warden/CCM response or receipt of the DHO Report. This time includes mail time." This was dated January 24th, marked "received" ~~2-4-2022~~ and given to me on 2-9-2022

~~2-4-22~~
2-4-22

9.) As noted previously, the Warden responded while I was out of the facility for court. I only got his response on January 3rd, I said so when I responded on January 12th, and the Regional Director responded on January 21st stating that "Additional time is needed to respond to the administrative remedy request identified below. We are extending the time for response as provided for in the administrative remedy program Statement".

10.) I went to Ms. Hill about this and she said I had to talk to Mr. Simpkins, who was not present at the time.

11.) I asked Ms. Hill about the block on Kaplan + Hecker's phone number, and she again told me she would look into it.

Having so averred, I sayeth no more under oath.

Respectfully Submitted
Christopher Cent Well 2-9-2022

C. Cent Well